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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,865	02/15/2001	Matthias Breuer	P-4899	6332

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Forrest Gunnison  
Gunnison, McKay & Hodgson, L.L.P.  
Suite 220  
1900 Garden Road  
Monterey, CA 93940

EXAMINER
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BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/785,865

Applicant(s)

BREUER ET AL.

Examiner

William L. Bashore

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communications: RCE filed 8/12/2005, to the original application filed 2/15/2001, foreign priority date **2/16/2000**. IDS filed 9/9/2002, and 1/18/2005.
2. Claims 1-17 remain rejected under 35 U.S.C. 102(b) as being described by Turbo C++ Version 4.5.
3. Claims 1-17 pending. Claims 1, 7, 8, 14 are independent.

#### ***Continued Examination Under 37 CFR 1.114***

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/6/2005, and 8/12/2005 has been entered.

#### ***Claim Rejections - 35 USC § 102***

5. **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:**

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 1-17 are rejected under 35 U.S.C. 102(b) as being described by Turbo C++ Version 4.5, Borland International, 1995 (hereinafter Borland), application and help screenshots pages 1-15.**

**In regard to independent claim 1**, Borland discloses a method of formatting (colors and attributes) a document using either “Color SpeedSetting”, and/or customized “Syntax Highlighting” (Borland pages 3-4, 8, 13-14). Borland discloses (on pages 12, 14) a sample document (settest.cpp) containing various objects and blocks, said objects (i.e. void, char, int, etc.) having directly assigned attributes (bold) via default settings of the Borland editor, as well as user customization (compare with claim 1 *“A method of formatting a computer-readable document comprising a plurality of objects having directly-assigned attributes, the method comprising”*). It is noted that an assigned extension (i.e. .cpp), can also be interpreted as a form of directly assigned attribute (see Borland page 13 “Syntax Extensions”), which are assigned to (associated with) the generally established C/C++ related objects, such as char, int, etc. within a .cpp document.

Borland discloses reading a typical text document (see Borland page 12) (it is noted that a typical text editor (i.e. Word) does not recognize previously shown attributes of this file – see Borland page 15). Borland discloses detection of various objects (i.e. reserved keywords, void, comments, etc.). These objects have been previously assigned as shown above. It is noted that in addition to choosing a set of preset styles (Borland page 13), a user has the capacity to further assign/modify attributes individually to objects, therefore further defining the chosen style (see Borland page 14 – an integer can be bolded, italicized, underlined, and/or assigned a different color, etc.). When <OK> is pressed, Borland remembers this customization, along with other settings dictated by the chosen preset style, and applies this to future inputted documents (compare with claim 1 *“detecting objects, in said computer-readable document, having directly-assigned attributes, wherein attributes in said directly-assigned attributes were assigned individually to objects by a user; ”*).

Borland discloses automatic creation of a (default or customizable) conversion style element for each object listed (Borland pages 13-14; compare with claim 1 *“creating, automatically, a conversion style element for every detected combination of directly-assigned attributes in the computer-readable document”*). It is noted that certain words are designated bold, and text comments proceeded with “//” are italicized. It is also noted that an initial “default” style is used pending user customization.

Art Unit: 2176

Borland discloses replacing the detected object styles with the same objects altered by directly assigned attributes (i.e. bold, italicizing, etc.) via “SpeedSetting”, or user customization (Borland pages 8, 12; compare with claim 1 “*replacing directly-assigned attributes.....corresponds to said directly-assigned attributes.*”).

Borland discloses a sample document (settest.cpp) containing various objects and blocks, said objects (i.e. void, char, int, etc.) having directly assigned style attributes (bold) via default settings of the Borland editor, as well as user customization of said settings, as explained above. Pages 13-14 of the Borland reference allows customization of attribute settings (Syntax Highlighting), said highlighting applied to user definable Syntax extensions (Borland page 13 at middle). Since said extensions are user definable (see Borland page 5), it is well within reason that user selection of a file extension can also be interpreted as a “directly assigned attribute”, along with style bolding, etc. Opening a .cpp file containing an established object “int” will be detected as special via having a directly assigned association of type .cpp, hence the user applied bolding style will be automatically applied accordingly (the “Default” setting of Borland also automatically applies a bolding style to the int object). However, opening a file without any extension within the Borland editor containing the same “int” object will not be detected as special by the system, since the file (with object int) has not been assigned an extension (attribute), therefore bolding will not be applied (the same int object in the latter case is not assigned any attributes) (compare with claim 1 “*wherein an object having a directly assigned attribute is detected by said method, and a same object without a directly assigned attribute is not detected by said method.*”).

**In regard to dependent claim 2**, Borland discloses detecting unique combinations of style elements assigned to various objects as shown in Borland pages 6, 13-14.

**In regard to dependent claim 3**, since Borland is an electronic document editor application intended to be run on a computer, it is well known in the art that typical computers and operating systems comprise and utilize RAM memory portions for opening and running said applications and files.

Art Unit: 2176

**In regard to dependent claim 4**, Borland discloses user customization of each detected object (Borland pages 13-14). In addition, a user can cause the Borland editor to ignore all customization highlighting by renaming the document extension, or declare an extension for detection (Borland page 5).

**In regard to dependent claim 5**, Borland disclose a text document (Borland page 12). Said file (settest.cpp) is a typical text file as shown by Borland page 15 (opened using Word).

**In regard to dependent claim 6**, Borland discloses naming each style element ( i.e. comment, Integer, Bold, Italic, Underline, etc.) (Borland page 14).

**In regard to independent claim 7**, claim 7 incorporates substantially similar subject matter as claimed in claim 1, and in further view of the following, is rejected along the same rationale.

Borland discloses user customization of each detected object (Borland pages 13-14). In addition, a user can cause the Borland editor to ignore all customization highlighting by renaming the document extension, or declare an extension for detection (Borland page 5; compare with claim 7 “*receiving a request from a user*”).

Borland discloses detecting unique combinations of style elements assigned to various objects as shown in Borland pages 6, 13-14 (compare with claim 7 “*unique detected*”).

**In regard to claims 8-13**, claims 8-13 reflect the system comprising computer readable instructions used for performing the methods as claimed in claims 1-6, respectively, and are rejected along the same rationale.

**In regard to claims 14-17**, claims 14-17 reflect the computer program product comprising computer readable instructions used for performing the methods as claimed in claims 1, 2, 4, 6, respectively, and are rejected along the same rationale.

*Response to Arguments*

7. Applicant's arguments filed 6/6/2005, and 8/24/2004 have been fully and carefully considered but they are not persuasive.

Regarding Applicant's arguments filed 6/6/2005, Applicant argues in part that the claimed "conversion style elements" does not specifically deal with "converting", but creating a particular type of style element (page 6). It is respectfully noted that (in the examiner's opinion) Borland's user selection of styles (i.e. bold, etc.) as applied to various words, etc. can be interpreted as a form of style creation. Although Borland does "remember" particular user customizations, nevertheless, said customizations are initially created at some point in time.

Applicant asserts (page 7 of arguments submitted 6/6/2005) that claim 1 does not recite that a new input object is reformatted as in the rejection, and that it is the "directly assigned attributes" of the detected objects that are replaced by "a reference to one conversion style" (page 8 at top). Taking this analysis into consideration, the examiner has addressed this in the instant rejection by noting that the file extension itself (.cpp, etc.) can be a form of directly assigned attribute as generally applied to all of the content objects of said file. If a user opens a .cpp file containing the object word "int", said word "int" in this case has a directly assigned attribute (the attribute is its direct association with the .cpp extension, therefore this attribute is essentially "replaced" by its assigned style of "bold" directly assigned to object "int". In this fashion, opening a .cpp file converts styles accordingly. It is noted that extensions, as well as bolding, etc., are forms of attributes.

Regarding Applicant's arguments filed 8/12/2005, the examiner feels he has addressed the issues in the instant rejection.

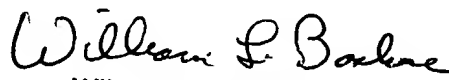
Art Unit: 2176

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**

October 26, 2005